



DEPARTMENT OF EDUCATION

Applications for Selection as a Performance Partnership
Pilot; Performance Partnership Pilots for Disconnected
Youth

AGENCY: Office of Career, Technical, and Adult Education,
Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (ED or Department) is
issuing a notice inviting applications for selection as a
performance partnership pilot for fiscal year (FY) 2022
under the Performance Partnership Pilots for Disconnected
Youth (P3) authority. This notice relates to the approved
information collection under OMB control number 1830-0575.

DATES: Deadline for Transmittal of Applications: [INSERT
DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL
REGISTER].

Deadline for Intergovernmental Review: [INSERT DATE 120
DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Requests for Technical Assistance (optional):
[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE
FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Braden Goetz, U.S.
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Telephone: (202) 245-6412.

If you are deaf, hard of hearing, or have a speech
disability and wish to access telecommunications relay
services, please dial 7-1-1.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Pilot Opportunity Description

Purpose of Program: P3 was first authorized by Congress in
FY 2014 by the Consolidated Appropriations Act, 2014 (2014
Act), and the authority has been included by Congress in
appropriations acts each year since FY 2014, most recently
in the Consolidated Appropriations Act, 2022 (Pub. L. 117-
103) (2022 Act). The FY 2022 P3 authority enables pilot
sites to blend FY 2022 Federal funds and obtain waivers of
program requirements, including statutory, regulatory, and
administrative requirements that are barriers to achieving
improved outcomes for youth-serving programs included in
the authority. Under P3, pilots can test innovative
strategies to achieve significant improvements in
educational, employment, and other key outcomes for
disconnected youth using the flexibility provided by P3.

Background:

The economic, educational, and social disruption caused by the coronavirus disease 2019 (COVID-19) pandemic has erased a decade of progress in reducing the percentage of young people ages 16 to 24 in the United States who are neither employed nor enrolled in school, also known as disconnected youth. Between 2010 and 2019, the percentage of youth who were disconnected dropped 27 percent, falling from 14.7 percent to 10.7 percent. In 2020, however, the youth disconnection rate jumped to 12.6 percent; more than 4.8 million young people were neither in school nor working, and this population remains a critical area of focus as the recovery from the pandemic continues.

There are large gaps in the percentage of young people ages 16 to 24 who are disconnected among different racial and ethnic groups. In 2020, the disconnection rate for white youth was 10.6 percent, while the disconnection rates for Black, Hispanic, and Native American youth were 19.6 percent, 14.0 percent, and 23.4 percent, respectively. While the overall disconnection rate was lowest for Asian youth at 7.3 percent, there were high rates of disconnection among some Asian subgroups, with 17.1 percent of Cambodian youth and 12.9 percent of Hmong youth disconnected in 2020.¹

¹ Lewis, Kristen (2022), *A Disrupted Year: How the Arrival of COVID-19 Affected Youth Disconnection*. New York: Measure of America, Social Science Research Council. Retrieved from: <https://measureofamerica.org/youth-disconnection-2022/>.

Preventing and swiftly addressing youth disconnection when it occurs is a priority because youth who drop out and never earn a high school credential have higher rates of unemployment, lower earnings, poorer health and higher rates of mortality, and are more likely to be dependent on public assistance than those who earn a high school credential.² Interrupted or delayed schooling and employment also can have long-lasting consequences. Youth whose completion of high school is delayed are significantly less likely to enroll in postsecondary education after they do earn their high school credential.³ Youth whose enrollment in postsecondary education is delayed after high school graduation are considerably more likely to drop out than peers who enter college immediately following high school.⁴ They also earn less as young adults, with one study estimating that those who delay entry into postsecondary institutions earn \$41,000 less during the first 13 years after high school graduation than young adults who enrolled in college the semester after

² Belfield, C. and Levin, H. M. Eds. (2007). *The price we pay: Economic and social consequences of inadequate education*. Washington, D.C.: Brookings Institution Press. Retrieved from: <https://www.brookings.edu/book/the-price-we-pay/>.

³ Fogg, N.P. and Harrington, P.E. (2015). *From Diplomas to Degrees: A Longitudinal Study of the College Enrollment and Graduation Outcomes of High School Graduates from the School District of Philadelphia*. Philadelphia, PA: Drexel University Center for Labor Markets and Policy. Retrieved from: https://drexel.edu/~media/Files/clmp/diplomas_to_degrees_full_report_2015.pdf.

⁴ *Ibid.*, and Scott, M.A. and Kennedy, B.B. (2005), "Pitfalls in Pathways: Some Perspectives on Competing Risks Event History Analysis in Education Research," *Journal of Educational and Behavioral Statistics*, Winter, 2005, Vol. 30, No. 4 (Winter, 2005), pp. 413-442. Retrieved from: <https://www.jstor.org/stable/3701297>.

high school graduation.⁵ A prolonged spell of unemployment experienced by a young adult can have an enduring negative consequence on his or her earnings that lasts as long as nine years after he or she finds work.⁶

P3 may be a useful tool for advancing policy objectives in two Executive Orders. President Biden committed the full resources of the Federal government to reversing the economic crisis that was caused by the COVID-19 pandemic and that continues to persist in some communities of color. In Executive Order 14002, Economic Relief Related to the COVID-19 Pandemic, he directed Federal agencies to consider actions that improve access to, reduce unnecessary barriers to, and improve coordination among programs funded in whole or in part by the Federal Government.⁷

In Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the President committed the Administration to a whole-of-government equity agenda to address inequities and systemic racism. Federal agencies were challenged to take a comprehensive approach to advancing equity for all,

⁵ Yuxin Lin, Y. and Ting Liu, V.Y. (2019), *Timing Matters: How Delaying College Enrollment Affects Earnings Trajectories*, CCRC Working Paper No. 105. New York, NY: Community College Research Center. Retrieved from: <https://ccrc.tc.columbia.edu/publications/delaying-college-enrollment-earnings-trajectories.html>.

⁶ Mroz, T.A. and Savage, T.H. (2006). The Long-Term Effects of Youth Unemployment. *The Journal of Human Resources*, Spring, 2006, Vol. 41, No. 2 (Spring, 2006), pp. 259-293. Retrieved from: <https://www.jstor.org/stable/40057276>.

⁷ <https://www.federalregister.gov/documents/2021/01/27/2021-01923/economic-relief-related-to-the-covid-19-pandemic>.

including people of color and others who have been underserved, marginalized, and adversely affected by persistent poverty and inequality.⁸ Pursuant to Executive Order 13985, ED published its inaugural equity action plan earlier this year. That plan makes expanding access to and completion of an education beyond high school an ED priority.⁹

P3 gives ED, the Departments of Labor (DOL), Health and Human Services (HHS), and Justice (DOJ),¹⁰ the Corporation for National and Community Service (CNCS), and the Institute of Museum and Library Services (collectively, the Agencies) authority, provided certain conditions and requirements are met, to waive Federal statutory and regulatory requirements that inhibit access to assistance and effective service delivery for disconnected youth.

P3 authorizes the Agencies to enter into Performance Partnership Agreements (performance agreements) with State, local, or Tribal governments. The performance agreements provide pilots with additional flexibility in the use of certain of the Agencies' discretionary funds,¹¹ including

⁸ <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

⁹ U.S. Department of Education (2022), 2022 Agency Equity Plan related to Executive Order 13985. Retrieved from: <https://www2.ed.gov/documents/equity/2022-equity-plan.pdf>

¹⁰ DOJ's Office of Justice Programs was first authorized to enter into performance agreements by the Consolidated and Further Continuing Appropriations Act, 2015.

¹¹ For the purposes of P3, discretionary funds are funds that Congress appropriates on an annual basis, rather than through a standing authorization. They exclude "entitlement" (or mandatory) programs, such as Social Security, Medicare, Medicaid, most Foster Care IV-E

competitive and formula grant funds. Pilots must include two or more Federal programs (at least one of which is administered in whole or in part by a State, local, or Tribal government) that are targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, and that provide education, training, employment, and other related social services. Entities that seek to participate in these pilots must commit to achieving significant improvements in outcomes for disconnected youth in exchange for flexibility permitted under P3. The authorizing statute states that improving outcomes for disconnected youth means increasing the rate at which those individuals between the ages of 14 and 24 who are low-income and are either homeless, in foster care, involved in the juvenile justice system, unemployed, or not enrolled in or at risk of dropping out of an educational institution achieve success in meeting educational, employment, or other key goals (2014 Act, section 526(a)(2)).

This notice invites applications for selection as FY 2022 pilots and offers opportunities for prospective applicants to obtain optional technical assistance from the Agencies prior to applying. The purpose of the pre-application technical assistance is to help prospective

programs, Vocational Rehabilitation State Grants, and Temporary Assistance to Needy Families. Discretionary programs administered by the Agencies support a broad set of public services, including education, workforce development, health and mental health, and other low-income assistance programs.

applicants identify and propose to address—through waivers, blending of funds, or other flexibilities—Federal barriers to effective and integrated service delivery that will improve the educational and employment outcomes of disconnected youth.

If interest in technical assistance exceeds the Agencies' capacity to provide it, the Agencies will give first priority to assisting eligible entities that intend to serve communities that have experienced civil unrest because the statutory authority for FY 2022 directs the Agencies to include such communities among the designated pilots. Second priority will be given to requests for technical assistance from applicants that propose to serve the highest numbers of disconnected youth.

Flexibilities Available Under P3

P3 provides important opportunities to improve access to Federal programs and their effectiveness in addressing the needs of disconnected youth. The Agencies have published on Youth.gov a list of the waivers previously granted to pilots under the first three rounds of P3 in which pilots were designated.¹² These waivers were helpful to the pilots that received them, and, in this latest round, the Agencies hope that applicants propose even more ambitious and bold efforts to remove Federal constraints on

¹² The list of previously granted waivers is available at https://youth.gov/sites/default/files/P3-Waiver-List-FINAL_2018-12-10.pdf.

effective, innovative, and promising service delivery for disconnected youth. We provide several examples below.

These examples are provided for illustrative purposes only, and the allowability of specific proposals will depend on the unique circumstances of individual applicants. Any waivers must be consistent with the statutory safeguards that apply to P3, discussed below, and the Agencies will consider whether the inclusion of a program in a specific pilot is consistent with, or conflicts with, other significant legal or policy considerations. Also, the Agencies will review the blending of competitive grants on a case-by-case basis to consider how the scope, objectives, and target populations of the existing awards align with the proposed pilot. Any changes in terms and conditions of the existing competitive grant awards required for pilot purposes must be justified by the applicant and consistent with the scope and objectives of the grantee's application. In addition, the Agencies can only waive Federal statutory or regulatory requirements and cannot waive State or local requirements. The Agencies encourage applicants to analyze whether implementation of their request also requires State or local statutory or regulatory flexibilities or waivers, as those rules are not under the jurisdiction of the Agencies to waive for P3.

Example A: P3 can be used to provide stronger support to young people as they transition from high school to postsecondary education and to careers. Our secondary and postsecondary education systems remain fragmented and are often poorly aligned, which limits postsecondary education access and success. The road to and through postsecondary education is particularly difficult to navigate for young people from families with low incomes:

- Twenty percent of students from low-income backgrounds do not graduate high school on time with their peers.¹³
- Forty percent of students from low-income backgrounds who do graduate from high school do not enroll in postsecondary education immediately following graduation.¹⁴
- Twenty-five percent of students from low-income backgrounds who do enter postsecondary education immediately following high school graduation leave without earning a credential during their first two years.¹⁵

These outcomes in high school and postsecondary education have prompted calls to reimagine and restructure how we educate young people, creating new opportunities and

¹³ National Center for Education Statistics (2021), Digest of Education Statistics, Table 219.46: Public high school 4-year adjusted cohort graduation rate (ACGR), by selected student characteristics and state: 2010-11 through 2018-19.

¹⁴ Pell Institute for the Study of Opportunity in Higher Education (2021), *Indicators of Higher Education Equity in the United States* (2021).

¹⁵ Oseguera, L. (2012). *Postsecondary Educational Pathways of Low- and Middle/High-Income Youth: Using the Education Longitudinal Study (ELS) to Examine Tenth Graders' Transitions from High School*. Los Angeles, CA: UC/ACCORD. Retrieved from: https://pathways.gseis.ucla.edu/publications/201205_osegueraWP.pdf.

approaches that will better meet their needs.¹⁶ P3 can help communities that are ready to respond to the challenge.

For example, a local educational agency (LEA) and a community college could partner to combine the last two years of high school with the first two years of postsecondary education and obtain waivers under P3 to use Federal funds to support this seamless educational experience for youth. The partnership could request waivers under P3 to blend and consolidate with state and local funds a portion of the LEA's allocation under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA); some of its subgrant from ESEA Title IV, Part A, Subpart 1, Student Support and Academic Enrichment Grants; the community college's grants from the Developing Hispanic-serving Institutions program authorized under Title V of the Higher Education Act of 1965 (HEA), TRIO Student Support Services, and TRIO Upward Bound. P3 waivers also could enable the partners to blend their subgrants under the Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V), with Workforce Innovation and Opportunity Act (WIOA) Title I Youth funds contributed by the local workforce development board to provide all students with

¹⁶ Hoffman, Nancy, Vargas, Joel, et al. (2021), *The Big Blur: An Argument for Erasing the Boundaries Between High School, College, and Careers—and Creating One New System That Works for Everyone*. Boston, MA: Jobs for the Future.

paid, part-time internships. The community college could request P3 waivers that permit it to use funds from its Federal Supplemental Educational Opportunity Grant,¹⁷ along with state and local funds, to pay the costs of the dual enrollment and postsecondary educational courses taken by students during their participation. Another waiver could enable the LEA to use funds from its subgrant from ESEA Title II, Part A Supporting Effective Instruction State Grants for joint professional development for the LEA's teachers and faculty from the community college.

Example B: P3 enables State, local, and Tribal governments to blend dollars from multiple Federal funding streams to provide more comprehensive, holistic services for youth without having to allocate costs among the contributing programs and separately track and report on each source of funding. For example, a State could propose to use P3 to support a comprehensive education, training, and reentry services program for youthful offenders before, during, and after their incarceration. Funding for the project could be contributed from the Governor's reserve of the State's WIOA Title I Youth program grant, the State's Juvenile Justice and Delinquency Prevention Act Title II State grant, and the State educational agency's ESEA Title I, Part D grant for Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-

¹⁷ The Federal Supplemental Educational Opportunity Grant program is authorized by section 413A of the HEA.

Risk of Dropping Out. The State also could propose to use P3 to waive the statutory performance indicators and reporting requirements under the three programs, replacing them with one set of indicators tailored to match the objectives of the project that the State reports on annually. Funds available to the State for evaluation under section 116(e) (1) of WIOA could be used to evaluate the program.

Example C: Responding to the Biden-Harris Administration's Talent Pipeline Challenge,¹⁸ a State could propose a pilot that blends Adult Education and Family Literacy Act (AEFLA) State leadership funds available under section 223 of WIOA with funds available for statewide youth activities under Title I of WIOA to provide integrated education and training to disconnected youth to prepare them to build public electric vehicle charging stations.

Example D: Some Federal programs contain statutory or regulatory requirements that limit the duration of an individual's participation in a program. Due to service interruptions and disruptions caused by the pandemic, participants may not have been able to take full advantage of the opportunities provided by a program over the last

¹⁸ Office of the President (2022), Fact Sheet: The Biden-Harris Administration Launches the Talent Pipeline Challenge: Supporting Employer Investments in Equitable Workforce Development for Infrastructure Jobs. Retrieved from: <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/17/fact-sheet-the-biden-harris-administration-launches-the-talent-pipeline-challenge-supporting-employer-investments-in-equitable-workforce-development-for-infrastructure-jobs/>

year. A P3 applicant could seek flexibility to waive eligibility requirements to extend the duration of an individual's participation in the program as part of a larger strategy to compensate for the time and learning that youth lost to the pandemic. For example, a State, local, or Tribal governmental unit administering a YouthBuild grant¹⁹ could seek to extend program services to individuals beyond 24 months; a State recipient of a 7-year Gaining Early Awareness and Readiness for Undergraduate Programs grant²⁰ could seek to extend services through a participant's second year of enrollment in an institution of higher education; and a private nonprofit organization managing a Transitional Living program grant²¹ for homeless youth could apply in partnership with a State, local, or Tribal government to extend the duration of its services beyond 540 days or to serve youth older than age 21.

Example E: P3 authority can also be used by applicants to propose changes to projects funded under multiple Federal grants that are each, separately, intended to support programs designed to help disconnected youth achieve greater success in meeting their educational and

¹⁹ The YouthBuild grant program is authorized by section 171 of WIOA (29 U.S.C. 3226).

²⁰ The Gaining Early Awareness and Readiness for Undergraduate Programs grant program is authorized by section 404A of the HEA (20 U.S.C. 1070a-21).

²¹ The Transitional Living grant program is authorized by section 321 of the Juvenile Justice and Delinquency Prevention Act (34 U.S.C. 11221). For this program, the term "homeless youth" is defined in 45 CFR 1351.1(f) as "a person under 18 years of age who is in need of services and without a place of shelter where he or she receives supervision and care."

employment goals. A public college or university that is considered a unit of State or local government could request waivers to blend discretionary, non-entitlement student aid funds under Title IV of the HEA, dollars received through various Federal formula programs, and competitive grant funds in ways that would achieve better outcomes for disconnected youth. For example, a public college or university might propose to increase the share of the Federal Work Study (FWS) program funds available for Job Location and Development programs and waive the 25 percent cap on the amount of the school's allocation that may be used to pay wages to students employed with private, for-profit organizations so that it could use more than 25 percent of its FWS funds to provide students who are at risk of dropping out with subsidized career internships in the private sector that are aligned with students' educational and career goals. To help students identify their career goals, the college or university could partner with a local American Job Center, which uses funds from the WIOA Title I Adult program, to provide students with intensive career counseling and information relating to local occupations in demand and the earnings and skill requirements of those occupations. Similarly, a community college could request waivers to blend and use a portion of a TRIO Educational Opportunity Center grant and its WIOA Title II AEFLA program subgrant to implement an intensive

integrated education and training (IET) program for young adults who lack a high school credential or a state government could request authority to blend AEFLA funds with funds from a Second Chance Act grant from the Department of Justice to implement an IET program or wraparound academic support services for incarcerated individuals to prepare them for the reinstatement of Pell Grant eligibility in 2023.

Example F: P3 waivers can help programs reach currently unserved disconnected youth. Current ED regulations for the TRIO programs limit participation in these programs to citizens or permanent residents of the United States, or individuals who are in the United States for other than a temporary purpose who provide evidence from the Immigration and Naturalization Service of their intent to become a permanent resident.²² Applying in partnership with affiliated local public institutions of higher education that administer TRIO grants, a multi-State consortium of public college or university systems that are considered units of State government could seek a waiver of this requirement so that their affiliated schools could use TRIO funds to serve disconnected youth who qualify for the

²² See 34 CFR 643.3 (Talent Search), 34 CFR 644.3 (Educational Opportunity Centers), 34 CFR 645.3 (Upward Bound), 34 CFR 646.3 (Student Support Services), and 34 CFR 647.3 (Ronald E. McNair Postbaccalaureate Achievement Program).

Deferred Action for Childhood Arrivals (DACA) program²³ or who have Temporary Protected Status.²⁴

Example G: P3 waivers can make childcare more accessible for youth who are parents and pursuing a postsecondary degree or credential but at risk of leaving without a degree or credential or employment due to the lack of affordable, high-quality childcare. A public college or university that receives funds under the Strengthening Institutions program authorized by Title III, Part A of the HEA could obtain a waiver of the regulatory prohibition against using a portion of these funds for childcare services in order to augment the childcare services it provides with its Child Care Access Means Parents in School Program grant.

Example H: An LEA could use the P3 authority to create a comprehensive educational program to provide support to

²³ In 2012, the Department of Homeland Security (DHS) began implementing the DACA policy, which allows youth who were brought to the United States as children and who meet certain criteria to request consideration for deferred action, involving a case-by-case determination by DHS not to pursue an individual's removal from the United States for an initial two-year period as a matter of prosecutorial discretion. DACA recipients can live and go to school in the United States and may be eligible to obtain work authorization while their deferred action remains in effect. For more information, see <https://www.uscis.gov/humanitarian/consideration-of-deferred-action-for-childhood-arrivals-daca>.

²⁴ The Secretary of Homeland Security may designate a foreign country for Temporary Protected Status (TPS) due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. United States Citizenship and Immigration Services may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. During a designated period, individuals who are TPS beneficiaries are not removable from the United States and can obtain work authorization. For more information, see <https://www.uscis.gov/humanitarian/temporary-protected-status>.

English learners (ELs) to support the successful transition from secondary school to postsecondary education and a career in a high-demand field, focusing on students who continue to be identified as ELs for more than five years, students who enroll with prior educational experiences other than formalized learning experiences, or who have special needs. Students who are proficient in both their home language and English are an asset, including in the labor market. For example, funds available under ESEA Title I, Part A and Title III could be used to support dual language programs for ELs to support language acquisition, including providing high-quality tutoring to support academic achievement. The LEA could also use ESEA Title IV, Part A funds to provide targeted support for ELs, including ELs with special needs. The LEA could use Perkins V funds to support career advising and navigation services and cover the costs associated with a CTE dual enrollment pathway or an apprenticeship where students can apply multilingual skill sets. The local workforce development board could also contribute funds to provide paid internships during the summer months.

Although P3 provides the Agencies broad waiver authority to increase flexibility and relieve burden in order to improve the effectiveness of Federal funding for disconnected youth, it is important to note that there are some limitations on the waivers. In particular, as stated

in the original statutory authority for P3, the P3 waivers-

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- May not involve any requirement related to nondiscrimination, wage and labor standards, or the allocation of funds to State and sub-State levels;

- Must be consistent with the statutory purposes of the Federal program for which such discretionary funds were appropriated;

- May not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the pilot;

- Based on the best available information, may not otherwise adversely affect vulnerable populations that are the recipients of such services;

- Must be necessary to achieve the outcomes of the pilot as specified in the performance agreement, and no broader in scope than is necessary to achieve such outcomes; and

- Must result in either: (a) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds; or (b) increasing the ability of individuals to obtain access to services that are provided by the discretionary funds.

P3 was reauthorized for FY 2022 for programs administered by all of the six Agencies, and the Agencies may select up to 10 pilots.

An applicant must propose to include FY 2022 funds from at least one of the six Agencies.

If Congress extends the P3 authority in future years, pilots may propose to amend the number of Federal programs supporting pilot activities using future funding appropriated. However, authority for pilots to expand in future years is subject to congressional action as well as agency discretion.

Application Requirements:

The application requirements for this opportunity are from the notice of final priorities, requirements, definitions, and selection criteria for this program published on April 28, 2016, in the *Federal Register* (81 FR 25339) (P3 NFP) and are as follows:

(a) Executive summary. The applicant must provide an executive summary that briefly describes the proposed pilot, the flexibilities being sought, and the interventions or systems changes that would be implemented by the applicant and its partners to improve outcomes for disconnected youth.

(b) Flexibility, including waivers:

Federal requests for flexibility, including waivers.

For each program to be included in a pilot, the applicant

must complete Table 1, Requested Flexibility. The applicant must identify two or more discretionary Federal programs that will be included in the pilot,²⁵ at least one of which must be administered (in whole or in part) by a State, local, or Tribal government.²⁶ In Table 1, the applicant must identify one or more program requirements that would inhibit implementation of the pilot and request that the requirement(s) be waived in whole or in part. Examples of potential waiver requests and other requests for flexibility include, but are not limited to, blending of funds and changes to align eligibility requirements, allowable uses of funds, and performance reporting.

Table 1: Requested Flexibility

Program Name	Federal Agency	Program Requirements to be Waived in Whole or in Part	Statutory or Regulatory Citation	Name of Program Grantee	Blending Funds? (Yes/No)

Note: Please note in "Name of Program Grantee" if the grantee is a State, local, or Tribal government, or nongovernmental entity.

²⁵ Applicants are encouraged to consult the list of examples of programs that are potentially eligible for inclusion in pilots at <https://youth.gov/youth-topics/reconnecting-youth/performance-partnership-pilots>.

²⁶ Local governments that are requesting waivers of requirements in State-administered programs are strongly encouraged to consult with the State agencies that administer the programs in preparing their applications.

Program Requirements:

The program requirement for this opportunity is from the P3 NFP.

Performance Agreement. Each P3 pilot, along with other non-Federal government entities involved in the partnership, must enter into a performance agreement that will include, at a minimum, the following (as required by section 526(c)(2) of Division H of the 2014 Act):

- (a) The length of the agreement;
- (b) The Federal programs and federally funded services that are involved in the pilot;
- (c) The Federal discretionary funds that are being used in the pilot;
- (d) The non-Federal funds that are involved in the pilot, by source (which may include private funds as well as governmental funds) and by amount;
- (e) The State, local, or Tribal programs that are involved in the pilot;
- (f) The populations to be served by the pilot;
- (g) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;
- (h) The cost-effective State, local, or Tribal oversight procedures that will be used for the purpose of

maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(i) The outcome (or outcomes) that the pilot is designed to achieve;

(j) The appropriate, reliable, and objective outcome measurement methodology that will be used to determine whether the pilot is achieving, and has achieved, specified outcomes;

(k) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the pilot; and

(l) Criteria for determining when a pilot is not achieving the specified outcomes that it is designed to achieve and subsequent steps, including:

(1) The consequences that will result; and

(2) The corrective actions that will be taken in order to increase the likelihood that the pilot will achieve such specified outcomes.

Definitions: The following definitions are from the P3 NFP.

Blended funding is a funding and resource allocation strategy that uses multiple existing funding streams to support a single initiative or strategy. Blended funding merges two or more funding streams, or portions of multiple funding streams, to produce greater efficiency and/or effectiveness. Funds from each individual stream lose

their award-specific identity, and the blended funds together become subject to a single set of reporting and other requirements, consistent with the underlying purposes of the programs for which the funds were appropriated.

An interim indicator is a marker of achievement that demonstrates progress toward an outcome and is measured at least annually.

Outcomes are the intended results of a program or intervention. They are what applicants expect their projects to achieve. An outcome can be measured at the participant level (for example, changes in employment retention or earnings of disconnected youth) or at the system level (for example, improved efficiency in program operations or administration).

A waiver provides flexibility in the form of relief, in whole or in part, from specific statutory, regulatory, or administrative requirements that have hindered the ability of a State, locality, or Tribe to organize its programs and systems or provide services in ways that best meet the needs of its target populations. Under P3, waivers provide flexibility in exchange for a pilot's commitment to improve programmatic outcomes for disconnected youth consistent with underlying statutory authorities and purposes.

Program Authority: Section 523 of Title III, Division H of the Consolidated Appropriations Act, 2022 (Pub. L. 117-103).

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 86, 97, 98, and 99, and such other regulations as the Agencies may apply based on the programs included in a particular pilot. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The P3 NFP.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Performance Pilot Designation Information

Type of Award: Flexibility.

Estimated Available Funds: None.

Estimated Number of Designations: 10 pilots.

Project Period: FY 2022 pilots may operate for as long as FY 2022 appropriated funds remain available to pilots to obligate to support project activities, but not past September 30, 2026.

III. Eligibility Information

1. Eligible Applicants: The lead applicant must be a State, local, or Tribal government entity, represented by a chief executive, such as a governor, mayor, or other elected leader, or the head of a State, local, or Tribal agency.

2. Cost Sharing or Matching: This program does not require cost sharing or matching.

IV. Application and Submission Information

1. Application Submission Instructions: Applicants must submit completed applications to DisconnectedYouth@ed.gov unless electronic submission is not possible. Where electronic submission is not possible (e.g., you do not have access to the internet), you must provide a written statement that you intend to submit a paper application. Send this written statement no later than two weeks before the application deadline date (14 calendar days or, if the 14th calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday). If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application

deadline date. Please send this statement to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. If you submit a paper application, you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, LBJ Basement Level 1, 400 Maryland Avenue, SW, Washington, DC 20202-4260. You must show proof of mailing consisting of one of the following: (1) A legibly dated U.S. Postal Service postmark. (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service. (3) A dated shipping label, invoice, or receipt from a commercial carrier. (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education. If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing: (1) A private metered postmark. (2) A mail receipt that is not dated by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

2. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for

the P3 opportunity, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define "business information" and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, including performance agreements, and may make all applications available, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate appendix section of your application, please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

4. Recommended Page Limit: The application narrative is where you, the applicant, provide the information specified in the application requirements and address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the

application narrative to no more than five pages and (2) use the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions.
- Use a font that is either 12 point or larger.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

5. Requests for Technical Assistance: For interested eligible entities, the Agencies are offering technical assistance over the next several months that will help prospective applicants to identify Federal impediments to effective and integrated service delivery for disconnected youth and flexibilities that can be removed under P3 and to develop an application submission for a P3 pilot. The Agencies want to engage with as many eligible entities as possible and will accept technical assistance requests on a rolling basis until [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. If interest in technical assistance exceeds the Agencies' capacity to provide it, the Agencies will give first priority to assisting eligible entities that intend to serve communities that have experienced civil unrest, because the

statutory authority for FY 2022 directs the Agencies to include such communities among the designated pilots.²⁷ Second priority will be given to requests for technical assistance from applicants that propose to serve the highest numbers of disconnected youth. To request technical assistance, please email DisconnectedYouth@ed.gov with the subject line "Request for Technical Assistance," and include the prospective applicant's name, a contact person's name and email address, and the names of the Federal programs that the prospective applicant is interested in including in a P3 pilot. Applicants that do not request technical assistance may still apply for designation as a pilot; applicants that do request technical assistance are not bound to apply or bound by the information provided in their initial request for technical assistance.

6. Other Submission Requirements: Applications under this opportunity must be submitted electronically unless electronic submission is not possible.

Please note the following:

- The Department is not publishing an application package for this program. To submit an application, provide all of the information specified in the application requirements. Additionally, complete and submit Standard Form 424B, Assurances for Non-Construction Programs

²⁷ Section 523(a), Title III, Division H, Consolidated Appropriations Act, 2022, Pub. L. 117-103.

(available at www2.ed.gov/fund/grant/apply/appforms/appforms.html) with your application.

- The Department must receive your application by 11:59 p.m. Eastern Standard Time on [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. We will notify you if we are rejecting your application because it was received after the application deadline date.

- We may request that you provide us original signatures on forms at a later date.

V. Application Review Information

1. Review and Selection Process: The Department will screen applications that are submitted in accordance with the requirements in this notice and will determine which applications are eligible to be read based on whether they have met the eligibility and application requirements.

The Secretary of Education (Secretary) will also consider compliance with assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance (such as, for ED programs, 34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

2. Review of Requests for Flexibility, Including Blending of Funds and Other Waivers: Representatives of the Agencies that administer programs under which

flexibility in Federal requirements is sought will evaluate whether the flexibility, including blending of funds and other waivers, requested by applicants meets the statutory requirements for P3 and is otherwise appropriate. For example, if an applicant is seeking flexibility under programs administered by HHS and DOL, its requests for flexibility will be reviewed by HHS and DOL officials. Applicants may be asked to participate in telephone calls at this point in the process in order to clarify requests for flexibility and other aspects of their proposals.

3. Selecting Finalists: Agency officials may recommend projects for selection by the Secretary. In consultation with the other Agencies, the Secretary will select up to 10 finalists after considering the recommendations of the Agencies that administer the programs for which the applicants are seeking flexibility, and other information, including an applicant's performance and use of funds and compliance history under a previous award under any agency program. In selecting pilots, the Secretary will first give priority to applicants that will serve communities that have experienced civil unrest, to address the statutory requirement that designated pilots include communities that have experienced civil unrest, and will then select those applications that will serve the highest numbers of disconnected youth.

For each finalist, ED and any other Agencies implicated in the pilot will negotiate the performance agreement. If a performance agreement cannot be finalized for an applicant, an alternative applicant may be selected as a finalist instead. The recommended projects will be considered finalists until performance agreements are signed by all parties, and pilot designation will be awarded only after finalization and approval of each finalist's performance agreement.

VI. Designation Administration Information

1. Designation Notices: If your application is successful, we notify your U.S. Representative(s) and U.S. Senators and send you a letter notification of your selection as a pilot. We may notify you informally, also.

If your application is not evaluated or not selected as a pilot, we will notify you.

2. Performance Measures: The performance agreement for each pilot will include outcome measures, interim indicators, and targets.

VII. Other Information

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an

MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal Register* and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the *Federal Register* by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Amy Loyd,
Assistant Secretary
for Career, Technical, and Adult
Education.

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